

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ANDREW DICKINSON, et al.,

Plaintiffs,

v.

KEVIN SIMPSON, et al.,

Defendants.

Case No. 10-10789

HONORABLE STEPHEN J. MURPHY, III

**ORDER GRANTING PLAINTIFF'S MOTION FOR AN
ORDER TO SHOW CAUSE (docket no. 57) AND ORDER TO SHOW CAUSE**

This is a civil rights action filed by plaintiffs Andrew Dickinson and Taryn Markoe against several Detroit police officers. The parties agreed to settle the matter in July 2011 -- eleven months prior to the date of this order. The matter before the Court is the most recent of multiple motions filed on behalf of the plaintiffs attempting to enforce the terms of the settlement and procure settlement checks that the defendants promised to pay, but repeatedly have not. On May 30, 2012 the Court issued an order reviewing the City's delinquency and directing it to "within seven days either issue and present the settlement checks to each plaintiff, and file proof of having done so with the Court, or SHOW CAUSE why they should not be held in contempt for their failure to do so." See ECF No. 54. On June 7, 2012, the City filed a response stating that it would deliver checks to the plaintiffs by the end of the business day on Friday, June 15, 2012. Resp. to Order to Show Cause, ECF No. 55. But on July 18, 2012, Dickinson filed a supplemental brief stating that the City had failed to deliver the checks as promised. The following day Markoe filed this motion for an order to show cause. See ECF No. 57.

Defendants' dilatory conduct and disregard of this Court's orders merit sanctions. Thus, the Court will grant Markoe's motion for an order to show cause, and once again direct the Defendants to immediately either issue checks to each plaintiff, or show cause, on pain of contempt, for their failure to do so. Defendants' failure to immediately tender the checks or to satisfactorily show cause WILL result in sanctions. No further hearing will be held in the matter; the Court will simply weigh and determine an appropriate penalty for the flagrantly contemptuous behavior.

ORDER

WHEREFORE it is hereby **ORDERED** that Plaintiff Taryn Markoe's motion for an order to show cause (docket no. 57) is **GRANTED**.

IT IS FURTHER ORDERED that Defendants shall within five days either issue and present the settlement checks to each plaintiff, and file proof of having done so with the Court, or **SHOW CAUSE** why they should not be held in contempt for their failure to do so.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: June 28, 2012

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 28, 2012, by electronic and/or ordinary mail.

Carol Cohron
Case Manager